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10 Attorneys for Defendant
11 THE PRUDENTIAL INSURANCE
COMPANY OF AMERICA

12 **UNITED STATES DISTRICT COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA**
14 **WESTERN DIVISION**

15 DOMINIQUE OSBORNE, on her own
behalf on behalf of a class of similarly
16 situated persons pursuant to F.R.C.P.
23 and U.S.C. 216, and on behalf of
17 the General Public,

18 Plaintiffs,

19 v.

20 THE PRUDENTIAL INSURANCE
COMPANY OF AMERICA, a New
21 Jersey Corporation,

22 Defendant.
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Case No. CV10-2465 JFW (CWx)

The Hon. John F. Walter

**STIPULATION FOR DISMISSAL
WITH PREJUDICE**

Complaint Filed: April 5, 2010
Discovery Cutoff: March 1, 2011
Motion Cutoff: March 28, 2011
Pre-Trial Conf.: May 6, 2011
Trial Date: May 24, 2011

1 The parties, Plaintiff Dominique Osborne ("Plaintiff"), and Defendant The
2 Prudential Insurance Company of America ("Defendant"), through their respective
3 counsel of record, HEREBY STIPULATE as follows:

- 4 1. Defendant filed a Motion for Summary Judgment as to Plaintiff's
5 single remaining cause of action for violation of the Fair Labor
6 Standards Act ("FLSA") 29 U.S.C. § 201 *et seq.*, which was set for
7 hearing on December 6, 2010;
- 8 2. Defendant's Motion for Summary Judgment shows that there is no
9 triable issue of material fact as to any claim for violation of the FLSA,
10 29 U.S.C. § 201 *et seq.*, alleged by Plaintiff in this lawsuit or that
11 could have been alleged by Plaintiff in this lawsuit;
- 12 3. Defendant's Motion for Summary Judgment shall be granted against
13 Plaintiff and judgment shall be entered in favor of Defendant in this
14 matter;
- 15 4. The judgment in favor of Defendant shall dismiss the above-captioned
16 lawsuit with prejudice;
- 17 5. Plaintiff waives any appeal as to any prior rulings of the Court in this
18 matter;
- 19 6. Defendant shall recover its reasonable costs of suit, as provided by
20 law; and

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1 7. Plaintiff and Defendant shall each be responsible for payment of their
2 own attorneys' fees.

3 SO STIPULATED:

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5 DATED: November 24, 2010

TEEPLE HALL, LLP

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7 By: /s/ Jason Black
8 JASON BLACK
9 Attorneys for Plaintiff
 DOMINIQUE OSBORNE

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12 DATED: November 24, 2010

SEYFARTH SHAW LLP

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14 By: /s/ Simon L. Yang
15 SIMON L. YANG
16 Attorneys for Defendant
17 THE PRUDENTIAL INSURANCE
18 COMPANY OF AMERICA
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